

Justice and Public Safety

Public Advocacy

	Revised FY 2006	Requested FY 2007	Requested FY 2008	Recommended FY 2007	Recommended FY 2008
SOURCE OF FUNDS					
General Fund					
Regular Appropriation	25,264,400	39,790,800	46,603,000	29,770,700	31,886,400
Salary Compensation Fund	723,000				
Base Deduction	-63,600				
Total General Fund	25,923,800	39,790,800	46,603,000	29,770,700	31,886,400
Restricted Funds					
Balance Forward	4,286,000	1,075,700	112,200	2,361,300	1,800
Current Receipts	3,162,200	3,160,800	3,160,800	3,160,800	3,160,800
Non-Revenue Receipts	1,437,600	1,295,200	1,295,000	1,295,200	1,295,000
Fund Transfers	-162,700				
Total Restricted Funds	8,723,100	5,531,700	4,568,000	6,817,300	4,457,600
Federal Funds					
Balance Forward	190,700	622,500	582,800	1,800	
Current Receipts	1,723,200	1,628,600	1,713,100	1,616,500	1,663,100
Non-Revenue Receipts	-142,400				
Total Federal Funds	1,771,500	2,251,100	2,295,900	1,618,300	1,663,100
TOTAL SOURCE OF FUNDS	36,418,400	47,573,600	53,466,900	38,206,300	38,007,100
EXPENDITURES BY CLASS					
Personnel Cost	23,478,400	33,316,200	38,045,600	28,454,300	28,430,500
Operating Expenses	3,321,100	6,624,700	7,555,100	3,702,100	3,702,100
Grants, Loans or Benefits	7,225,800	6,907,700	7,223,100	6,048,100	5,872,700
Capital Outlay	30,000	30,000	40,000		
TOTAL EXPENDITURES	34,055,300	46,878,600	52,863,800	38,204,500	38,005,300
EXPENDITURES BY FUND SOURCE					
General Fund	25,923,800	39,790,800	46,603,000	29,770,700	31,886,400
Restricted Funds	6,361,800	5,419,500	4,547,700	6,815,500	4,455,800
Federal Funds	1,769,700	1,668,300	1,713,100	1,618,300	1,663,100
TOTAL EXPENDITURES	34,055,300	46,878,600	52,863,800	38,204,500	38,005,300
EXPENDITURES BY UNIT					
Office of the Public Advocate	965,900	1,190,000	1,335,900	965,900	965,900
Defense Services	29,599,600	41,684,100	46,583,900	33,829,700	33,583,900
Law Operations	1,402,100	1,677,200	2,551,800	1,465,700	1,465,700
Protection and Advocacy	2,087,700	2,327,300	2,392,200	1,943,200	1,989,800
TOTAL EXPENDITURES	34,055,300	46,878,600	52,863,800	38,204,500	38,005,300

The U. S. and Kentucky Constitutions provide to all Americans the right to the assistance of counsel when they are charged with a crime. Those same constitutional provisions mandate that all persons who cannot afford an attorney and are charged with a crime that carries a potential loss of liberty be provided with an attorney by the state. The Kentucky Department of Public Advocacy (DPA) was established in KRS Chapter 31 to provide representation for indigent persons accused of crimes (or mental states) which may result in their incarceration. Kentucky's mandated public defender services are delivered by a system consisting of full-time employed public defenders, full-time contract public defenders, and private attorneys contracting with the Department to provide services primarily in situations involving conflicts of interest. The Department, under the direction of the Public Advocate, is attached to the Justice and Public Safety Cabinet for administrative purposes.

The Office of the Public Advocate is responsible for the oversight of the agency and includes the Public Advocate, Deputy Public Advocate, Executive Advisor, General Counsel, and all strategic planning and education functions.

The Operations Division provides budget, personnel, administrative, technology, library services, research, and management support for the Department.

The Trial Division represents all needy persons accused of crimes punishable by loss of liberty, persons accused of juvenile delinquency and status offenses; and all needy persons faced with involuntary commitments due to mental state or condition in all of Kentucky's 120 counties. This includes district, circuit, drug, juvenile and family court venues.

The Post-Trial Division provides mandated defender services for indigent persons after conviction. These services include providing counsel to indigent persons on appeal, to incarcerated persons on post-conviction actions in state and federal court, and to all juveniles in treatment facilities.

The Department's Protection and Advocacy Division was established pursuant to Public Law 99-319, Public Law 101-496, and KRS 31.030. The Division seeks legal, administrative, and other appropriate remedies to insure protection of Kentuckians with developmental disabilities and mental illness. The majority of funds in this division's budget are Federal Funds that have strict non-supplanting requirements.

Policy

The Governor's Recommended Budget provides additional General Fund resources of \$3,000,000 in fiscal year 2007 to support 36 attorney positions, 14 administrative support positions, and three social workers, and \$3,200,000 in fiscal year 2008 to support 38 attorney positions, 15 administrative support positions, and four social workers, to assist in handling increasing caseloads in public advocacy offices statewide. The budget provides support for a pilot project for the hiring of social workers to assist in reducing levels of incarceration for persons with substance abuse and mental illness. This additional funding is projected to decrease caseloads to 415 per lawyer in fiscal year 2007 and 413 per lawyer in fiscal year 2008.